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MATTER NO.

296-001

June 16, 2023

**VIA CM/ECF**

Hon. Sarah L. Cave  
United States Magistrate Judge  
Southern District of New York  
500 Pearl Street, Courtroom 18A  
New York, New York 10007

**RE: Flynn v. Cable News Network, Inc.**  
**Case 1:21-cv-02587 (GHW/SLC)**

Dear Judge Cave:

I represent Plaintiffs, John P. “Jack” Flynn and Leslie A. Flynn (the “Flynnns”) in this matter. This letter responds to Defendant Cable News Network, Inc.’s (“CNN”) letter motion dated June 12, 2023.

Prior to June 12, 2023, I fully responded and addressed each of the matters set forth in CNN’s letter.<sup>1</sup>

**1. Jack Flynn**

Per Ms. Bolger’s request, Jack Flynn searched his phone for any videos he may have taken on July 4, 2020. He found none. On June 6, 2023, I expressly informed Ms. Bolger via email that Jack Flynn has no videos.

In her letter, Ms. Bolger represents to the Court that “Jack Flynn has not responded to this request”. He has.

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<sup>1</sup> In her letter, p. 1, Ms. Bolger boldly (but inaccurately) proclaims that “the Flynnns” filmed a video on July 4, 2020 “in which they take an oath of office followed by a QAnon slogan”.

In the report at issue, CNN falsely states to viewers that the Flynns were QAnon followers. The evidence of falsity is overwhelming. Jack Flynn has produced all evidence in his possession, custody and control that shows CNN's statements are false, including all public statements to the effect that the existence and foundation of QAnon is "hogwash". [See, e.g., PX 32, PX 33, PX 34, PX 38, PX 42, PX 44, PX 45, DX 351, TNS12779]. In my June 6, 2023 email to Ms. Bolger, I stated:

"The hogwash email is a public statement. Jack does not recall if he used Twitter to tweet that 'the existence and foundation of Q is hogwash', but he did convey that message in his tweets and retweets, and in the DM to Trumpstress".

No documents are being withheld under any claim of privilege.

**2. Leslie Flynn**

On June 9, 2023, I notified Ms. Bolger that Leslie Flynn had checked her phone following the deposition. I confirmed the name of the friend who sent Leslie the CNN report on February 6, 2021. [PX 258]. I also confirmed that Leslie communicated with the same friend in March 2021, which is where there was some confusion in the interrogatory answer. Leslie will supplement that part of her interrogatory answer pursuant to Rule 26(e) within one week of the date of this letter. All responsive documents, whether text messages or Facebook messages, have been produced. [PX 258, 274-288].

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The Flynns' counsel provided substantive responses to CNN's various deposition follow-up questions by email on June 6, 2023, June 9, 2023 and June 10, 2023. The Flynns have no other documents to produce.

Yours very truly,

**/s/ *Steven S. Biss***

Steven S. Biss

cc. Anthony C. Carlini, Jr., Esq.